

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DONALD VERBANAC,

Plaintiff,

v.

Case No. 09-C-438

DEPUTY CLAUSING, et al.,

Defendants.

ORDER

This matter is set to be tried before a jury on April 30, 2010. Review of the docket indicates that there are two motions pending, both filed by plaintiff Donald Verbanac. The first motion is for judgment on the pleadings, which plaintiff made in response to the defendants' motion for summary judgment. (Doc. # 32.) Because there is a factual dispute between the parties regarding whether the defendants had unlawfully entered Verbanac's home, the motion is denied.

Verbanac also filed a motion in limine regarding a written statement of the girl who claimed Verbanac sexually assaulted her. Verbanac asserts it is inadmissible because it was "coerced." While a criminal defendant has standing to seek suppression of his own statements on the basis that they were the result of coercion, this is not a basis to hold inadmissible the statement Verbanac contests in this case. Should the defendants admit this document at trial, Verbanac is free to question them regarding the circumstances in which it was made. The motion is denied.

SO ORDERED this 20th day of April, 2010.

s/ William C. Griesbach
William C. Griesbach
United States District Judge